

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CAROLYN DUNN LUKSZA & PATRICIA
FOSER, individually and on behalf of others
similarly situated,
Plaintiffs,
vs.
TJX COMPANIES, INC., d/b/a TJ MAXX,
Defendants.

Case No.: 2:11-cv-01359-JCM-GWF

This matter is before the Court on the parties' failure to file a joint pretrial order required by LR 26-1(e)(5). The Order regarding the proposed Stipulated Discovery Plan and Scheduling Order (#32) filed November 23, 2011, required the parties to file a joint pretrial order required by LR 26-1(e)(5) no later than August 1, 2012, or 30 days after a decision on the dispositive motions. Plaintiffs' Motion for Notice of the Pendency of this Action, Conditional Certification (#8) September 27, 2011 was decided on August 8, 2012 and the District Court's upholding the Magistrate Judge's order denying conditional class certification (#79) was filed December 13, 2012. Plaintiffs filed a Notice of Appeal (#80) on January 2, 2013. The United States Court of Appeals for the Ninth Circuit dismissed the appeal pursuant to Appellants/Plaintiffs' motion to dismiss. There are no further dispositive motions pending. Accordingly,

IT IS ORDERED that

1. Counsel for the parties shall file a joint pretrial order which fully complies with the requirements of LR 16-3 and LR 16-4 no later than **March 4, 2013**. Failure to timely comply will result in the imposition of sanctions up to and

including a recommendation to the District Judge that the complaint be dismissed for plaintiff's failure to prosecute. See Fed. R. Civ. P. 41(b).

2. The disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections thereto shall be included in the pretrial order.

DATED this 20th day of February, 2013.

George Foley Jr.
GEORGE FOLEY, JR.
United States Magistrate Judge